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PATENT

Application No.: 10/038,142
Filing Date: October 22, 2001
First Named Inventor: Tabatabai, et al.
Examiner's Name: Bengson, Greg C.
Art Unit: 2144
Attorney Docket No.: 080398.P433

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☐ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☒ Other: Response To Notice Of Non-Compliant Appeal Brief
- ☐ Other: _____
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

SUBMITTED BY:

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

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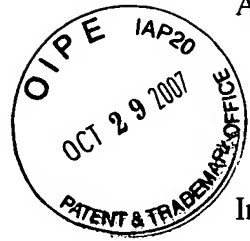
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(10/14/03)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:)	Examiner:	Bengzon, Greg C.
)		
Tabatabai, et al.)	Art Unit:	2144
)		
Application No. 10/038,142)	Confirmation No.:	7456
)		
Filed: October 22, 2001)		
)		
For:)		
DELIVERY OF MULTIMEDIA)		
DESCRIPTORS USING)		
ACCESS UNITS)		
)		

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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

In response to the Notice of Non-compliant Appeal Brief mailed on September 28, 2007, Applicant respectfully submits the following revised "Summary of Claimed Subject Matter" section, and requests that it replace the corresponding section in the originally filed Appeal Brief.

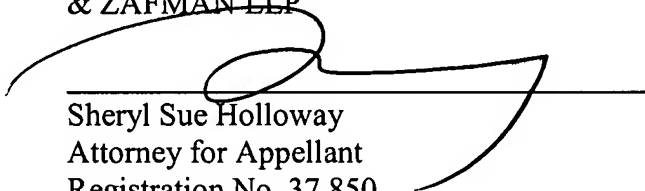
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

Dated: October 26, 2007



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V. SUMMARY OF CLAIMED SUBJECT MATTER

All references to Appellant's specification provided herein refer to the specification as filed, not to the specification as published.

Appellant's invention as claimed in claims 1-90 uses access units to deliver updates for a multimedia description from an encoder 114 to a decoder 118 (Figure 1) as described in paragraphs 27-28 on pages 8-9 of the specification. The multimedia description 200 is divided into fragments 202 (Figure 2; paragraph 29 on page 9 and paragraph 35 on pages 10-11) and an access unit (300 in Figure 3) corresponds to one of the fragments (paragraph 36 on page 11). The access unit comprises a fragment update (304 in Figure 3), which in turn comprises a fragment update command (404 in Figure 4), as described in paragraphs 37-38 on pages 11-12. The encoder forms the access units from a multimedia description (paragraph 28 on pages 8-9). The access units are transmitted to the decoder, which executes the fragment update commands to reconstruct the multimedia description (paragraph 36 on pages 11 and paragraph 41 on pages 12-13). The fragment update can also comprise a fragment reference (904 in Figure 9) that is a pointer to a fragment in a node (paragraphs 56-57 on page 16).

Independent claim 1 is a method claim that claims forming an access unit corresponding to a fragment of a multimedia description and forming an encoded data stream from the access unit (paragraphs 28-29 on pages 8-9 and paragraph 36 on page 11). The access unit is claimed as being a network transmission data structure (paragraph 28 on pages 8-9) comprising a fragment update (paragraph 38 on pages 11-12). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (paragraphs 37-38 on pages 11-12).

Independent claim 22 is a method claim that claims receiving an access unit corresponding to a fragment of a multimedia description (paragraphs 28-29 on pages 8-9). The access unit is claimed as being a network transmission data structure (paragraph 28 on pages 8-9) comprising a fragment update (paragraph 38 on pages 11-12). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description

(paragraphs 37-38 on pages 11-12). The fragment update is also claimed as comprising a first fragment reference that is a pointer to a first referenced fragment in a first node (paragraphs 56-57 on page 16).

Independent claim 31 is a computer-readable storage medium claim that claims forming an access unit corresponding to a fragment of a multimedia description and forming an encoded data stream from the access unit (paragraphs 28-29 on pages 8-9 and paragraph 36 on page 11). The access unit is claimed as being a network transmission data structure (paragraph 28 on pages 8-9) comprising a fragment update (paragraph 38 on pages 11-12). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (paragraphs 37-38 on pages 11-12).

Independent claim 52 is a computer-readable storage medium claim that claims receiving an access unit corresponding to a fragment of a multimedia description (paragraphs 28-29 on pages 8-9). The access unit is claimed as being a network transmission data structure (paragraph 28 on pages 8-9) comprising a fragment update (paragraph 38 on pages 11-12). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (paragraphs 37-38 on pages 11-12). The fragment update is also claimed as comprising a first fragment reference that is a pointer to a first referenced fragment in a first node (paragraphs 56-57 on page 16).

Independent claim 61 is a system claim that claims a memory and a processor coupled through a system bus, and an encode process executed by the processor from the memory (paragraph 83, page 23, paragraph 86, page 24, and Figure 11). The encode process causes the processor to form an access unit corresponding to a fragment of a multimedia description and form an encoded data stream from the access unit (paragraphs 28-29 on pages 8-9 and paragraph 36 on page 11). The access unit is claimed as being a network transmission data structure (paragraph 28 on pages 8-9) comprising a fragment update (paragraph 38 on pages 11-12). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (paragraphs 37-38 on pages 11-12).

Independent claim 82 is a system claim that claims a memory and a processor coupled through a system bus, and a decode process executed by the processor from the memory (paragraph 83, page 23, paragraph 86, page 24, and Figure 11). The decode process causes the processor to receive an access unit corresponding to a fragment of a multimedia description (paragraphs 28-29 on pages 8-9). The access unit is claimed as being a network transmission data structure (paragraph 28 on pages 8-9) comprising a fragment update (paragraph 38 on pages 11-12). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (paragraphs 37-38 on pages 11-12). The fragment update is also claimed as comprising a first fragment reference that is a pointer to a first referenced fragment in a first node (paragraphs 56-57 on page 16).

Dependent claim 6 is a method claim that depends from claim 1 through claim 4 and further claims that a fragment reference is in XPath (paragraph 59 on page 16).